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Security Council

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Republic of Korea, Rwanda, Togo, United Kingdom of Great Britain and Northern Ireland, and United States of America: draft resolution

The Security Council,

Recalling its previous resolutions and its presidential statements on the situation in Sudan and South Sudan, and in particular, resolutions 1990 (2011), 2024 (2011), 2032 (2011), 2046 (2012), 2047 (2012), 2075 (2012), as well as presidential statement S/PRST/2012/19, and the Council's press statements of 18 June 2012, 21 September 2012, 28 September 2012, and 6 May 2013,

Reaffirming its strong commitment to the sovereignty, independence, unity, and territorial integrity of Sudan and South Sudan, and to the purposes and the principles of the United Nations Charter, and recalling the importance of the principles of good neighbourliness, non-interference and regional cooperation,

Reiterating that the territorial boundaries of states shall not be altered by force, and that any territorial disputes shall be settled exclusively by peaceful means,

Affirming the priority it attaches to the full and urgent implementation of all outstanding issues from the Comprehensive Peace Agreement,

Reaffirming its previous resolutions 1265 (1999), 1296 (2000), 1674 (2006) 1738 (2006) and 1894 (2009) on the protection of civilians in armed conflict, 1612 (2005), 1882 (2009), 1998 (2011), and 2068 (2012) on children and armed conflict, 1502 (2003) on the protection of humanitarian and United Nations personnel, and 1325 (2000), 1820 (2008), 1888 (2009), and 1889 (2009) and 1960 (2010) on women peace and security,

Recalling the commitments made by the Government of Sudan and the Government of South Sudan in the 20 June 2011 Agreement between the Government of Sudan and the Sudan People's Liberation Movement on Temporary Arrangements for the Administration and Security of the Abyei Area, the 29 June 2011 Agreement Between the Government of the Sudan and the Government of Southern Sudan on Border Security and the Joint Political and Security Mechanism, and the 30 July 2011 Agreement on the Border Monitoring Support Mission Between the Government of Sudan and the Government of South Sudan, as well as the 27 September 2012 Agreements on Cooperation and Security Arrangements, the Joint Political and Security Mechanism's March 8 decision, and the Implementation Matrix of 12 March 2013, reached by the Government of Sudan and the Government

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of South Sudan in Addis Ababa under the auspices of the AU High-Level Implementation Panel (AUHIP),

Emphasizing the importance of the full participation of women in the implementation of agreements and in the prevention and resolution of conflict and peacebuilding more broadly,

Expressing its full support for the efforts of the African Union on the situation between the Republic of Sudan and the Republic of South Sudan, in order to ease the current tension, facilitate the resumption of negotiations on post-secession relations and the normalization of their relations, *recalling* in this regard the AU Peace and Security Council Communiqués of 24 April 2012, 24 October 2012, 25 January 2013 and 7 May 2013, *expressing* its determination that the future status of Abyei shall be resolved by negotiations between the parties in a manner consistent with the CPA and not by the unilateral actions of either party, and *calling upon* all parties to engage constructively in the process mediated by the AU High-level Implementation Panel (AUHIP) toward final agreement of Abyei status,

Welcoming the efforts by the Government of Sudan and the Government of South Sudan to demilitarize the Safe Demilitarized Border Zone, including the "14 Mile Area," and to implement the Joint Border Verification and Monitoring Mechanism (JBVMM), in accordance with Council resolution 2046 and the AU Peace and Security Council Roadmap of 24 April 2012,

Underlining the importance of establishing and maintaining effective JBVMM monitoring of the Safe Demilitarized Border Zone, including the "14 Mile Area,"

Stressing that both countries will have much to gain if they show restraint and choose the path of dialogue instead of resorting to violence or provocations,

Welcoming the meetings of President Bashir and President Kiir in Addis Ababa on January 5 and 25 and in Juba on 12 April,

Commending the continued assistance provided to the parties by the AU High-level Implementation Panel, including its Chairman President Thabo Mbeki, former Presidents Abdulsalami Abubakar and Pierre Buyoya, the Chairperson of the Intergovernmental Authority on Development, Ethiopian Prime Minister Hailemariam Desalegn, the Special Envoy of the Secretary-General for Sudan and South Sudan, Haile Menkerios, and the United Nations Interim Security Force for Abyei (UNISFA) under the leadership of Major General Yohannes Tesfamariam,

Commending the efforts of UNISFA in carrying out its mandate, including by its ongoing facilitation of peaceful migration throughout the Abyei Area and *expressing* its deep appreciation for the work of the troop contributing countries,

Encouraged by the improvements in security and stability in Abyei Area since the deployment of UNISFA, and *determined* to prevent the recurrence of violence against or displacements of civilians and to avert inter-communal conflict,

Noting with concern the rise of inter-communal violence in the Abyei Area,

Emphasizing the importance of all parties refraining from any politically motivated unilateral action to aggravate inter-communal relations within Abyei Area,

Deeply concerned by delays in the establishment of the Abyei Area Administration, Council and Police, which are essential to maintain law and order and prevent inter-communal conflict in Abyei,

Noting the lack of progress in establishing the Abyei Police Service, including a special unit to deal with particular issues related to nomadic migration,

Bearing in mind the importance of coherence of United Nations assistance in the region,

Welcoming and encouraging efforts by the United Nations to sensitize peacekeeping personnel in the prevention and control of HIV/AIDS and other communicable diseases in all of its peacekeeping operations,

Stressing the need for effective human rights monitoring, including of any sexual and gender-based violence or violations and abuses committed against children, and reiterating its concern at the lack of cooperation by the parties with the Secretary-General to this end,

Stressing the urgency of facilitating the delivery of humanitarian assistance to all affected communities in the Abyei area,

Affirming the importance of voluntary, safe, orderly return and sustainable reintegration of displaced persons, and of peaceful and orderly migration cycles respecting the traditional migratory routes from Sudan to South Sudan through Abyei, and *urging* UNISFA to take measures as necessary to ensure security in the Abyei Area in accordance with its mandate,

Recognizing the deleterious impact of the proliferation of arms, on the security of civilians,

Concerned with the residual threat of landmines and explosive remnants of war in the Abyei Area, which hinders the safe return of displaced persons to their homes and safe migration,

Recognizing that the current situation in Abyei and along the border between Sudan and South Sudan continues to constitute a serious threat to international peace and security,

Welcoming the steps taken by UNISFA towards the effective implementation of its mandate, including, inter alia, through conflict prevention, mediation and deterrence,

1. *Decides* to extend until 30 November 2013 the mandate of the United Nations Interim Security Force for Abyei (UNISFA) as set out in paragraph 2 of resolution 1990 (2011) and modified by resolution 2024 (2011) and paragraph 1 of resolution 2075 (2012), and acting under Chapter VII of the Charter of the United Nations, further decides to extend until 30 November 2013 the mandate of UNISFA as set out in paragraph 3 of resolution 1990, and *determines* that for the purposes of paragraph 1 of resolution 2024 (2011), support to the operational activities of the JBVMM shall include support to the Ad Hoc Committees, as appropriate when so requested by consensual decisions of these mechanisms, within UNISFA's operational area and existing capabilities;

2. *Decides* to increase the authorized troop ceiling for UNISFA to 5,326 as requested by the parties through the Joint Political and Security Mechanism decision

of 8 March and further recommended by the Secretary-General in his report of 28 March (S/2013/198) to enable UNISFA to support fully the JBVMM;

3. *Welcomes* the establishment and commencement of effective operations of the JBVMM, and *calls on* the Government of Sudan and the Government of South Sudan to make timely and effective use of the JBVMM, JPSM, and other agreed joint mechanisms to ensure the security and transparency of the SDBZ, including the 14 Mile Area;

4. *Underscores* that UNISFA's protection of civilians mandate as set out in paragraph 3 of resolution 1990 (2011) includes taking the necessary actions to protect civilians under imminent threat of physical violence, irrespective of the source of such violence,

5. *Welcomes* the redeployment of Sudanese military and South Sudanese military and police personnel from the Abyei Area in compliance with resolution 2046, and demands that the Government of Sudan redeploy the oil police in Diffra from the Abyei Area immediately and without preconditions, and reiterates, in accordance with relevant resolutions, in particular resolution 1990 and resolution 2046, that the Abyei Area shall be demilitarized from any forces, as well as armed elements of the local communities, other than UNISFA and the Abyei Police Service;

6. *Reiterates* its demand that Sudan and South Sudan urgently finalize the establishment of the Abyei Area Administration and Council, including by resolving the deadlock over the composition of the Council, and constitute the Abyei Police Service, to enable it to take over policing functions throughout the Abyei Area, including the protection of oil infrastructure, in accordance with their commitments in the 20 June 2011 Agreement;

7. *Urges* Sudan and South Sudan to make regular use of the Abyei Joint Oversight Committee to ensure steady progress on the implementation of the 20 June 2011 Agreement, including the implementation of the AJOC decisions;

8. *Welcomes* the Abyei Joint Oversight Committee's May 3 decision reiterating Abyei's status as a weapons-free area, *underscores* the AU Peace and Security Council's concern in its 7 May 2013 Communiqué over reports that various communities living in Abyei are heavily armed, *recalls* that the June 20, 2011 Agreement on Temporary Arrangements for the Administration and Security of the Abyei Area stipulates that Abyei should be a weapons-free area and that only UNISFA is authorized to carry weapons inside the area, and likewise *urges* the two governments to take all necessary steps to ensure that Abyei is effectively demilitarized, including through disarmament programs as necessary;

9. *Urges* the two governments immediately to take steps to implement confidence-building measures among the respective communities in Abyei Area, including through reconciliation processes at the grass roots level, and further urges all Abyei communities to exercise maximum restraint in all their engagements and to desist from inflammatory acts or statements that may lead to violent clashes;

10. *Requests* UNISFA to continue its dialogue with the Abyei Joint Oversight Committee and with the Misseriya and Ngok Dinka communities on effective strategies and oversight mechanisms for ensuring full compliance by all relevant parties with Abyei's status as a weapons-free area, with a particular priority placed on the urgent

elimination of heavy or crew-served weapons, as well as rocket-propelled grenades, and *calls upon* the governments of Sudan and South Sudan, the AJOC, and the Misseriya and Ngok Dinka communities to extend full cooperation to UNISFA in this regard;

11. *Expresses* its intention to review as appropriate the mandate of UNISFA for possible reconfiguration of the mission in light of the compliance by Sudan and South Sudan with the decisions set forth in resolution 2046 and their commitments as set forth in the Agreements of June 20, June 29, July 30, 2011, and September 27, 2012, including the redeployment of all forces from the Safe Demilitarized Border Zone, achieving full operational capability for the Joint Border Verification and Monitoring Mechanism, and the Ad Hoc Committees, as well as completing the full demilitarization of the Abyei Area;

12. *Requests* the Secretary-General to conduct a review of UNISFA's configuration, an assessment of the relevant risks and threats, and the force posture and troop ceiling required for implementation of its mandate, and *requests* the Secretary-General to include this assessment as an annex to the Secretary-General's regular report scheduled 120 days after the adoption of this resolution;

13. *Calls on* all Member States, in particular Sudan and South Sudan, to ensure the free, unhindered and expeditious movement to and from Abyei and throughout the Safe Demilitarized Border Zone of all personnel, as well as equipment, provisions, supplies and other goods, including vehicles, aircraft, and spare parts, which are for the exclusive and official use of UNISFA;

14. *Renews* its call on Sudan and South Sudan to provide full support to the United Nations, including by promptly issuing visas to military, police and civilian UN personnel, including humanitarian personnel, without prejudice to their nationality, facilitating basing arrangements and flight clearances, and providing logistical support, and *welcomes* in this regard the signing of the Status of Forces Agreements by Sudan on 1 October 2012, and by South Sudan on 20 November 2012;

15. *Recognizes* the importance of the difficult living conditions affecting UNISFA peacekeeping personnel, *notes* the action being taken to address this situation, and *urges* the Secretary-General to continue to take the measures available to him to remediate this situation and better enable UNISFA to implement its mandate;

16. *Demands* that the Government of Sudan and the Government of South Sudan continue to facilitate the deployment of the United Nations Mine Action Service to ensure JBVMM freedom of movement as well as the identification and clearance of mines in the Abyei Area and SDBZ;

17. *Demands* that all parties involved provide humanitarian personnel with full, safe and unhindered access to civilians in need of assistance and all necessary facilities for their operations, in accordance with international law, including applicable international humanitarian law, and guiding principles of humanitarian assistance;

18. *Requests* the Secretary-General to ensure that effective human rights monitoring is carried out, and the results included in his reports to the Council, and reiterates its call upon the Government of Sudan and the Government of South

Sudan to extend their full cooperation to the Secretary-General to this end, including by issuing visas to the concerned UN personnel;

19. *Requests* the Secretary-General to take the necessary measures to ensure full compliance of UNISFA with the United Nations zero tolerance policy on sexual exploitation and abuses and to keep the Council informed if cases of such conduct occur;

20. *Stresses* that improved cooperation between the Government of Sudan and Government of South Sudan is also critical for peace, security and stability and the future relations between them;

21. *Requests* the Secretary-General to continue to inform the Council of progress in implementing UNISFA's mandate in 60 day intervals, and continue to bring to the Council's immediate attention any serious violations of the above referenced agreements;

22. *Notes* the Secretary-General's efforts to ensure close cooperation among UN missions in the region, including UNISFA, UNMISS, and UNAMID, as well as his Special Envoy for Sudan and South Sudan, and requests him to continue this practice;

23. *Decides* to remain actively seized of this matter.